

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AARON QUINTANA,
Plaintiff,

v.

CVS PHARMACY, INC.,
Defendant.

Case No. 15-cv-02109-YGR

**ORDER GRANTING MOTION TO DISMISS
WITH LEAVE TO AMEND**


Re: Dkt. No. 9

On May 18, 2015, defendant CVS Pharmacy, Inc. filed a motion to dismiss for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6). (Dkt. No. 9.) For the reasons stated on the record at the July 7, 2015 hearing, the motion is **GRANTED** and the complaint is hereby **DISMISSED WITH LEAVE TO AMEND**. Plaintiff Aaron Quintana shall file a First Amended Complaint ("FAC") addressing the issues discussed at the hearing within thirty (30) days from the date of this Order. The parties are further **ORDERED** to meet and confer such that plaintiff may substitute in the proper corporate defendant.

This Order terminates Docket Number 9.

IT IS SO ORDERED.

Dated: July 7, 2015


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE